IN THE UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE

MIDWESTERN GAS)	
TRANSMISSION COMPANY)	
Petitioner,)	
v.)	Case No. 3:06-cv-00278
3.22 ACRES IN SUMNER COUNTY,)	
TENNESSEE and JERRY HODGES)	
)	
Respondent.)	

$\frac{ORDER\ GRANTING\ MIDWESTERN\ GAS\ TRANSMISSION\ COMPANY}{MOTION\ TO\ DISMISS}$

It appears to the Court that Petitioner's Motion to Dismiss is well taken and that the parties are in agreement that the funds on deposit with the Court for this action should be refunded to Plaintiff, Midwestern Gas Transmission Company, c/o Lela Hollabaugh at the address below.

IT IS SO ORDE	ERED and thi	s action is dis	smissed.		
	27th	May		_	
Entered this th	e day of _	, 2008.	Atot A.	Mangr	, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
		District J	ludge Aleta Tı	rauger//	

Submitted for Entry:

s/Lela M. Hollabaugh

Lela M. Hollabaugh (#14894) Waller Lansden Dortch & Davis, LLP 511 Union Street, Suite 2700 Nashville, TN 37219 (615) 244-6380 (615) 244-6804 fax lhollabaugh@wallerlaw.com

Attorneys for Midwestern Natural Gas Company

CERTIFICATE OF SERVICE

I hereby certify that on May 21, 2008, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

Jerry Hodges 410 Womack Road Portland, TN 37148

s/Lela M. Hollabaugh